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EXTRAORDINARY

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HARYANA GOVERNMENT

URBAN LOCAL BODIES DEPARTMENT

Notification

The 12th May, 2022

No. 9/32/2022-4C-II.— In exercise of the powers conferred under Section 250 of the Haryana Municipal Act, 1973 and Section 398 of the Haryana Municipal Corporation Act, 1994, the Government of Haryana is pleased to issue the **“Directions in form of policy for regularization of illegal subdivision of plots/permission for sub-division of residential plots in Town Planning Schemes, Rehabilitation Schemes, Improvement Trust Schemes situated in Municipal Areas of Haryana”.**

Accordingly, suggestions and objections of the general public who are going to be affected/ benefited by the said policy are hereby invited within a period of thirty(30) days from the date of publication of this policy which includes publication on the website of the department i.e. <https://ulbharyana.gov.in>. The objections and suggestions may be sent to the Director Urban Local Bodies Department, Bays no. 11-14, Sector- 04, Panchkula, Haryana and/or also on email id dulbhry@hry.nic.in or before the expiry of the said period.

Introduction:

1. The State of Haryana witnessed development of planned colonies under various schemes in the past which were developed by various government agencies and now falls within the municipal limits.
2. With the increase in density of population in Municipal Bodies and on account of rise of demand for homes, the original allotted plot got sub-divided illegally by the concerned owners which was accentuated by lack of enforcement by concerned municipal bodies. In view of demand received from public, there is a need to regularize these illegally sub divided plots and also to permit plot owners to rationally sub divide the originally allotted plots.
3. **Objective:** To issue guidelines and parameters for regularization of illegal subdivision of plot/permission for sub-division of residential plots in Town Planning Schemes, Rehabilitation Schemes, Improvement Trust Schemes situated in Municipal Areas of Haryana while maintaining the original nature of Planned Scheme.
4. **Regularization of illegal sub division and permission of fresh sub-division of plot.**
 - (a) Regularization/sub-division of plots located in the planed scheme developed prior to 1980 shall only be considered under this policy.
 - (b) The minimum plot size eligible for regularization and new sub-division shall be 200 sq. meter and above.
 - (c) The Size of the sub-divided plot shall not be less than 100 sq meter.
 - (d) The sub-divided plot shall have access from the road shown in the original layout.

- (e) All such sub-divided plots shall have parking provisions within the plot as per the parking guidelines of Haryana Building Code 2017.

5. Procedure for submission of application

- i. Eligibility: The plot having area/size of equal or more than 200 sqmeter is eligible for regularization in case of illegal sub division of plot/fresh sub-division of plots under this policy.
- ii. The applicant shall apply online (only) for regularization of sub-divided plot/ fresh sub-division of plotas per the prescribed format to the competent authority i.e. Commissioner, in case of Municipal Commissioner and District Municipal Commissioner in case of Municipal Council and Committees within a period of 6(six) months from the date of issue of the policy.
 - (a) Form “A”- Application form for regularization of illegal sub-division of plot.
 - (b) Form-“B”- Application for permission for fresh/new sub-division of plot.
- iii. Following documents are required to be submitted by the applicant;
 - i. The applicant shall submit ownership documents such as aks-sazra plan, jamabandi, mutation, Geo-coordinate of the applied site, structure stability certificate.
 - ii. The applicant shall submit an indemnity bond that in case of any mishap/accident due to building the applicant shall be responsible and shall pay applicable cost/penalty and MC/Government/competent authority is not liable for the same in any manner whatsoever.
 - iii. Site plan showing the existing sub-division in case of regularization of plot and site plan showing proposed sub-division in case of proposed sub-division of plot.
 - iv. Location of the site on the original layout plan.
 - v. Affidavit duly signed from the First Class Magistrate stating that applicant shall not park vehicle outside his plot i.e. on footpath or road or green area and in case violation will be liable for prosecution.
 - vi. The plot owner of sub-divided plot shall get the building plan approved as per provisions stated in the Haryana Building Code 2017, subject to the condition that setback of the original plot shall remain applicable to sub-divided plot also.
 - vii. An affidavit duly signed from the First Class Magistrate declaring that he will not construct boundary wall on front setback and permit the municipality to utilize area of his plot under front setback for laying of services, footpath and green area etc.

6. Fees

- i. Scrutiny fees @ Rs. 10 per square meter shall be charged.
- ii. For regularization of illegally sub-divided plot, Sub-division/ license fees @ 1.5 times of license fee for (Residential Plotted) notified by TCP Department from time to time shall be applicable.
- iii. For fresh sub-division, licence fee (Residential Plotted) as notified by the Town and Country Planning department shall be applicable.

7. Issue of Letter of Intent (LOI)

- i. The competent authority after due examination of the case may issue LOI to the applicant.
- ii. The applicant is required to ensure compliance of the LOI within a period of 30 days from the date of its issue. If the applicant fails to comply within 30 days from the date of LOI then the LOI shall deem to be cancelled and shall be treated as null and void ab initio.
- iii. In case the applicant ensures compliance of the LOI within the stipulated time period, then the competent authority may grant final approval for regularization of illegally sub-divided plots/ permission for fresh sub-division of plot and the site plan shall be signed by the competent authority.
- iv. The applications which do not meet out the parameters of this policy shall be summarily rejected after giving opportunity of hearing to the applicant by the competent authority and a speaking order shall be passed by the said authority.

8. Appellate Authority:

- i. Any person aggrieved by the decision of competent authority shall file an appeal before the Appellate Authority i.e. Director, Urban Local Bodies Department within a time period of 60 days from the date of passing of such order by the competent authority u/s 7 (iv).
- ii. The decision of the appellate authority shall be final and binding.

9. **Relaxation:** If Government considers that any of the provisions mentioned in this policy may require relaxation in public interest then it can relax such provision of this policy or add any other additional provision/condition as it deems fit.

Note: Subdivision in the Housing Board Scheme which has been transferred to Municipalities is not allowed under the said policy.

Chandigarh:
The 9th May, 2022.

ARUN KUMAR GUPTA,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.